

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

CRAIG FRANCIS SZEMPLE,

Plaintiff,

v.

RUTGERS, THE STATE UNIVERSITY
OF NEW JERSEY, et al.,

Defendants.

Civil Action No. 10-5445 (PGS) (DEA)

MEMORANDUM ORDER

It appearing that Plaintiff having filed this Complaint on October 21, 2010 (ECF No. 1); the Court having reviewed the matter under 28 U.S.C. § 1915 and permitting the complaint to proceed in part (ECF No. 9); summons having been issued to defendant DR. HERSCHKOWITZ on May 7, 2012 (ECF No. 14); the summons having been returned unexecuted as to defendant DR. HERSCHKOWITZ on October 16, 2012 (ECF No. 24); Rule 4(m) of the Federal Rules of Civil Procedure at the time of filing of the complaint requiring the complaint to be served within 120 days; it appearing that more than 120 days having elapsed without proof of service upon defendant DR. HERSCHKOWITZ;

IT IS therefore on this 19 day of March, 2018,

ORDERED that, within thirty (30) days of this Order, Plaintiff shall show cause, in writing, as to why all claims against defendant DR. HERSCHKOWITZ should not be dismissed for failure to effectuate proper service, Fed. R. Civ. P. 4(m); and it is finally

ORDERED that the Clerk shall serve a copy of this Order upon Plaintiff by regular mail.

A handwritten signature in cursive script, appearing to read "Peter G. Sheridan", is positioned above a horizontal line.

PETER G. SHERIDAN
United States District Judge